

The City Council met in regular session at the hour of 8:37 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Brian Calhoun	Councilmember
	Brad Castillo	Acting Council President
	Mike Dages	Councilmember
	Jerry Duncan	Councilmember
	Henry Perea	Councilmember
	Cynthia Sterling	Councilmember
	Tom Boyajian	Council President

Dan Hobbs, City Manager  
Andy Souza, Assistant City Manager  
Hilda Cantu Montoy, City Attorney  
Becky Klisch, City Clerk  
Yolanda Salazar, Assistant City Clerk

City Manager Hobbs gave the invocation, and Deputy Police Chief Fifield led the Pledge of Allegiance to the Flag.

PROCLAMATION OF BEDROSIAN BROTHERS DAY - COUNCILMEMBER STERLING

PROCLAMATION OF LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY - MAYOR AND CITY COUNCIL

RESOLUTION OF COMMENDATION FOR THE RENOVATION AT WELDON AND ECHO AVENUES - PRESIDENT BOYAJIAN

PRESENTATION BY CITY MANAGER HOBBS TO TRANSPORTATION DIRECTOR LAGOS

The above proclamations, resolution and presentation were read and made.

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**APPROVE MINUTES:**

On motion of Councilmember Dages, seconded by Councilmember Perea, duly carried, RESOLVED, the minutes of October 28, 2003, approved as submitted.

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**COUNCIL MEMBER REPORTS AND COMMENTS:**

UPDATE ON LEAGUE OF CALIFORNIA CITIES' ACTIONS RELATIVE TO MONEY TAKEN FROM LOCAL GOVERNMENTS BY THE STATE OF CALIFORNIA - COUNCILMEMBER CALHOUN

Councilmember Calhoun noted the League has taken an aggressive approach on the State "picking the pockets" of local governments and filed paperwork with the Secretary of State to place a ballot measure on the November 2004 ballot (subject to obtaining the necessary amount of signatures) that would require a public vote before the State can reduce sales, property and VLF revenues of cities, counties and specials districts and elaborated, advised since 1991 more than \$30 million of local property taxes have been drained from cities/counties/special districts costing cities alone \$800 million in FY 2003-2004 and \$6.9 billion over the last twelve years, and urged Council to contribute to the ballot initiative fund and tell the State cities were not going to take it anymore.

Councilmember Duncan advised (1) he and Jack Kemp met with Secretary of Treasury John Snow last Friday and discussed some ideas relative to developing inner-cities, stated Mr. Snow was very open to making Enterprise Zones capital gains tax-free zones, and advised he would contact the local congressional delegation to get some momentum going; and (2) advised he met with a lot of major CEOs of some major corporations and promoted Fresno as he always does and advised the feedback he received from almost everyone was the business atmosphere in California was really bad and unfriendly and expansions and projects were not on the radar list of anyone at this time, and stressed it was critical to put more pressure on the State government to fix some of the challenges if the economy is ever to be turned around.

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**APPROVE AGENDA:**

**(2-A) DISCUSSION, CONSIDERATION AND DIRECTION REGARDING RESIDENTIAL SOLID WASTE AND RECYCLING COLLECTION CONTAINER STORAGE REQUIREMENTS**

At the request of Councilmember Duncan and with Council consensus, Item 2-A was set for 4:00 p.m. this date for citizen convenience.

On motion of Councilmember Dages, seconded by Acting President Castillo, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
Noes	:	None
Absent	:	None

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**ADOPT CONSENT CALENDAR:**

Gloria Torrez stated each item on the consent calendar should be fully discussed and voted upon separately, and requested the Mayor reject and veto Items 1-E and 1-F stating she was opposed to the LNG fueling station and the purchase of the two semi-portable LNG fuel stations, stated the purchase of buses and garbage trucks without a fueling station was not a wise move and staff was now trying to expedite the stations, and stated the funds should go to improve FAX service and provide improvements.

**(1-A) RESOLUTION NO. 2003-342 - INTENT TO ANNEX FINAL TRACT NO. 5135 TO COMMUNITY FACILITIES DISTRICT NO. 2, ANNEXATION NO. 59 AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES**

**(1-B) RESOLUTION NO. 2003-343 - INTENT TO VACATE "N" STREET AND THE "N-O" ALLEY BETWEEN VENTURA AND FREEWAY 41, SANTA CLARA STREET BETWEEN "N" AND "O" STREETS, AND A 20-FOOT WIDE ALLEY ALONG FREEWAY 41 BETWEEN A SEWER AND WATER EASEMENT IN LOT 6/BLOCK 122 OF THE TOWN OF FRESNO, AND SETTING A PUBLIC HEARING FOR DECEMBER 2, 2003, AT 10:10 A.M.**

**(1-C) RESOLUTION NO. 2003-344 - APPROVING THE APPLICATION FOR AND ACCEPTANCE OF A 2003 FEDERAL MEDIATION AND CONCILIATION SERVICE LABOR-MANAGEMENT COOPERATION PROGRAM GRANT IN THE AMOUNT OF \$70,801, AND AUTHORIZING THE EXECUTION OF DOCUMENTS**

**1. RESOLUTION NO. 2003-345 - 43<sup>RD</sup> AMENDMENT TO AAR 2003-209 APPROPRIATING \$74,800 TO THE PERSONNEL DEPARTMENT FOR THE GRANT**

**(1-D) RESOLUTION NO. 2003-346 - 41<sup>ST</sup> AMENDMENT TO AAR 2003-209 APPROPRIATING \$120,000 TO THE FIRE DEPARTMENT FOR THE CONTINUING DEVELOPMENT OF A METROPOLITAN MEDICAL RESPONSE SYSTEM (MMRS)**

**(1-E) AUTHORIZE THE GENERAL SERVICES DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SVAPCD) ALTERNATIVE FUEL INFRASTRUCTURE PROGRAM TO RECEIVE \$300,000 TO BE USED TO REDUCE THE COST OF A CITY-OWNED LIQUID NATURAL GAS (LNG) FUEL STATION FACILITY AT THE MUNICIPAL SERVICE CENTER**

**(1-F) RESOLUTION NO. 2003-347 - AUTHORIZING THE PURCHASE OF TWO (2) SEMI-PORTABLE LIQUID NATURAL GAS**

## FUEL STATIONS UNDER THE SOLE SOURCE EXCEPTION WITHOUT ADVERTISED COMPETITIVE BIDDING

Councilmember Calhoun stated he is always concerned with sole source exceptions but he was comfortable with staff's explanation on this issue, and stated to accomplish this purchase grants were aggressively pursued in Item 1-E which significantly reduced the cost to the taxpayer and commended staff for their work.

On motion of Acting President Castillo, seconded by Councilmember Sterling, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
Noes	:	None
Absent	:	None

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The City Council recessed at 9:11 a.m. and convened in joint session with the Redevelopment Agency.

### **(9:00 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

#### **APPROVE AGENCY MINUTES OF OCTOBER 28, 2003**

On motion of Councilmember Sterling, seconded by Acting President Castillo, duly carried, RESOLVED, the Agency minutes of October 28, 2003, approved as submitted.

#### **(“A”) DISCUSSION AND DIRECTION TO THE CITY MANAGER AND AGENCY DIRECTOR REGARDING IMPLEMENTING THE RECOMMENDATIONS OF THE FRESNO REGIONAL JOBS INITIATIVE (RJI) REPORT OF OCTOBER, 2003 - PRESIDENT BOYAJIAN**

President Boyajian stated he scheduled the item for action because it was important to implement the recommendations of the report and spoke to the issue at length including the need for Council involvement, the success of the housing task force in working with the different entities in the community, the need for Council to take a pro-active approach and be a force to bring everyone together on this issue, and the need to train people and bring infrastructure to areas for businesses who want to locate here. Councilmember Calhoun spoke to the importance of accountability, noted the City did a good job with benchmarks for the Economic Development Corporation (EDC) because the City funded them and wanted accountability, and stated this was the second stage and he wanted the Agency Director to pull out the recommendations that pertained to the city of Fresno so Council could move on them immediately, and made a motion to forward the recommendations to the newly-formed Mayor/Council (Dages and Calhoun) task force for consideration and appropriate action, which motion was seconded and later acted upon.

City Manager Hobbs stated President Boyajian's comments were in the spirit of the public/private collaboration that launched the RJI which he felt was a brilliant piece of work by community leaders, and spoke to city staff's involvement and stated he supported taking the recommended initiatives to the task force and economic development and making that a substantial portion of the task force work program. Director Fitzpatrick noted in his briefing report he pulled out the major initiatives and recommendations that focused on responsibilities of the City and the Agency, spoke to the importance of accountability and collaboration, pledged his support to partnering with City and the EDC to carry out the Agency's responsibilities, be accountable, and report back on a regular basis on what has or has not been achieved, **(2 - 0)** and noted the big item for a lot of this will be financing and stated creative ways will have to be figured out in a business manner and explained. President Boyajian advised he spoke with Dave Spaur of EDC and he was interested in being a member of the task force, stated that collaboration would serve the City well, and stated the task force would become the agent needed to get things done and he hoped this would become a viable tool to help with the unemployment issue.

Lengthy discussion ensued with Councilmembers Dages, Sterling, Castillo, Perea, Calhoun, Duncan and President Boyajian presenting questions and/or commenting on various issues relative to whether the City or the Agency would be renegotiating with the EDC, concern with accountability citing the Office Depot/fast-food restaurant business and no one taking credit for its closure, the lack of a definition of “unemployable”, warehouse/distribution space being available in the southeast, southwest and industrial areas and concern with EDC's comment that there was no space available, need to get people who are ready, willing and able to participate and work on this and exclude

those who are “getting ready to get ready to get ready”, need to train people, employ the unemployable, and bring in positions with proper salary ranges, importance of collaboration, surprise with the lack of attendance and input by those who worked on the RJI, funding sources and if staff has talked with Fresno County, if the various entities were aware a regional funding strategy was being looked at, concern with perception that all entities are not working together, concern with not knowing what Clovis or Fresno County will bring to the table, concern with the lack of a job-ready workforce, chemical dependency and services, Mr. Palomino’s involvement in the RJI, if there will be, or if there is a need for, a timeline for the task force to report back, request to include the RJI’s Livability section in what the City is doing, the RJI Task Force completing a huge task/giving Council an agenda/and it now being time for Council to move on it and make sure the report does not sit on a shelf, desire to have some suggestions or direction from the task force by December 3<sup>rd</sup>, this report being the most thorough and comprehensive and need to commit to it and act to insure jobs are available in the future for family and the community, and there being the opportunity to organize splinter groups to pursue certain tasks. Mr. Fitzpatrick, Mr. Hobbs and Mr. Palomino responded throughout to questions and comments.

On motion of Councilmember Calhoun, seconded by Councilmember Sterling, duly carried, RESOLVED, the recommendations of the October 2003 Fresno Regional Jobs Initiatives Report to be forwarded to the Mayor/Council Task Force for consideration and appropriate action, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Dages, Perea, Sterling, Duncan
Noes	:	None
Absent	:	None

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The joint bodies adjourned their meeting at 9:58 a.m. and the City Council reconvened in regular session.

A visiting Civics class of Seniors from Fresno Christian High School were recognized and welcomed.

#### **(10:00 A.M.) PRESENTATION OF EMPLOYEE SERVICE AWARDS**

Certificates were presented to employees with 10, 15, 20, 25, 30, 35 and 40 years of City service and a reception was held immediately following to honor the employees.

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#### **RECEPTION - 10:30 A.M. - 10:57 A.M.**

**(10:30 A.M.) HEARING ON REZONE APPLICATION NO. R-03-34 AND ENVIRONMENTAL FINDINGS, FILED BY QUAD KNOPF ON BEHALF OF McMILLIN HOMES, PROPERTY LOCATED ON THE NORTH SIDE OF E. SHIELDS AVENUE BETWEEN N. FOWLER AND N. ARMSTRONG AVENUES IN COUNCIL DISTRICT 4**

**1. CONSIDER AND ADOPT MITIGATED NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT NO. R-03-34/T-5189/TPM 2003-26**

**2. BILL NO. B-97 - ORDINANCE NO. 2003-97 - AMENDING THE OFFICIAL ZONE MAP TO REZONE THE SUBJECT PROPERTY FROM R-A/UGM TO R-1/UGM**

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Planner Chamberlain reviewed the issue as contained in the staff report as submitted and recommended approval.

Cliff Ronk, McMillin Homes, spoke in support of the project, briefly to McMillin Homes, and requested Council’s approval.

Upon call, no one else wished to be heard and President Boyajian closed the hearing.

A motion and second to approve staff’s recommendation was made and acted upon after brief questions and comments of President Boyajian relative to who would pay for needed road improvements, the cumulative impacts that will occur with this development, need for an EIR, and the mitigated negative declaration being inappropriate, with Planning Manager Unruh responding.

On motion of Acting President Castillo, seconded by Councilmember Sterling, duly carried, RESOLVED, the finding of a Mitigated Negative Declaration for Environmental Assessment No. R-03-34/T-5189/TPM 2003-26 dated September 24, 2003, hereby approved, and the above entitled Bill No. B-97 rezoning the subject property adopted as Ordinance No. 2003-97, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling  
 Noes : Boyajian  
 Absent : None

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**(11:00 A.M.) RESOLUTION NO. 2003-348 - 42<sup>ND</sup> AMENDMENT TO AAR 2003-209 APPROPRIATING AN ADDITIONAL \$175,000 FOR THE LAND ACQUISITION FOR THE VETERANS HOME FOR AGED AND DISABLED MILITARY VETERANS**

Planning & Development Director Yovino reviewed the issue as contained in the staff report as submitted, recommended approval, and advised State and Federal officials have assured they are committed to the funding of the project, the State's money had already been appropriated, and it was hoped Federal funds would be budgeted either later this year or next year so construction can begin in 2005.

Speaking in support of the issue and/or to funding commitments were: Dr. Robert Johnson, California Department of Veterans Affairs; Sarah Wolf, District Director, Congressman Dooley's Office; Debra Hurley, District Director, Congressman Radanovich's Office **(3 - 0)**; Tony Lee, Assemblyman Steve Samuelian's Office; George Sinopoli, Chairman, California Veterans Board; and Chuck Parnell, President, Central California Veterans Homes Support Foundation.

Upon question of Councilmember Dages, Mr. Yovino clarified the funding request was consistent with what staff had advised Council back in July in that staff would be coming back to request Council to appropriate the money once it had accumulated. Councilmember Dages spoke in support of the issue and stated he would second the motion. Dr. Johnson and Mr. Yovino responded to questions of Acting President Castillo and Councilmember Calhoun relative to how much the Federal government usually contributes to these types of projects, if the southern California fires will affect the funding, the tenant that was relocated, if this was the last funding request or if staff would be coming back to ask for additional funds, total amount of the City's contributions to date, and what further costs might be involved. Councilmember Sterling thanked all those who came and spoke and for the great collaboration and made a motion to approve. President Boyajian concurred the collaboration had been amazing and thanked Assemblyman Samuelian and the Veterans for all their work.

On motion of Councilmember Sterling, seconded by Councilmember Dages, duly carried, RESOLVED, the above entitled Resolution No. 2003-348 hereby adopted, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian  
 Noes : None  
 Absent : None

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**LUNCH RECESS - 11:22 A.M. - 2:00 P.M.**

**(2:00 P.M.) CLOSED SESSION:**

**(“A”) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - CASE NAME: PAUL ESQUIVEL V. COF**

The City Council met in closed session in Room 2125 at the hour of 2:00 p.m. to consider the above issue, adjourned, and reconvened later in regular open session.

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**RECESS - 2:10 P.M. - 2:38 P.M.**

**(2:30 P.M.) WATER WORKSHOP PART II - CVC CONTRACT AND CONDITIONS OF RENEWAL, AB 514 (WATER METER LEGISLATION), WATER INFRASTRUCTURE, AND FISCAL SNAPSHOT**

Public Utilities Director McIntyre stated the water issue was probably the single most substantive issue facing the city today and gave a Power Point presentation at length covering the topics of CVP contract renewal including failure to renew the contract and water meters, water infrastructure, and the fiscal picture and forecast, all as contained in the staff report as submitted, and along with City Attorney Montoy responded at length to questions/comments of Acting President Castillo, Councilmembers Dages and Calhoun, and President Boyajian relative to ongoing litigation, southeast Fresno's water system and if it can handle what is now being built **(4 - 0)**, contract renewal including direction and timeline, fines that could be incurred, environmental work, reasons for metering, infrastructure, the water treatment system now being built, Copper River's treatment facility, requiring treatment facilities for major developments, use of river water, water entitlements, selling water to offset cost of water meters, Temperance Flat, aging downtown infrastructure and how a lake could possibly be built, water needing to be available before developing, and the new state law and how it affects Fresno. There was no further discussion.

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**RECESS - 3:55 P.M. - 4:15 P.M.**

**(2-A) DISCUSSION, CONSIDERATION AND DIRECTION REGARDING STORAGE REQUIREMENTS FOR RESIDENTIAL SOLID WASTE AND RECYCLING COLLECTION CONTAINERS**

Assistant Public Utilities Director Weimiller reviewed the issue and recommendations as contained in the staff report as submitted.

Speaking to the need for enforcement were: Sherry Alexander, 8132 N. Backer **(5 - 0)**, and Charles LaRue, 2156 E. Powers, who both distributed photographs to illustrate.

Councilmember Duncan spoke briefly to the issue, stated it was a city-wide issue and complimented staff on the recommendations, made a motion to approve staff's recommendations, and questioned how the 18 month grace period would apply to slow growing vegetative screening and if a financial hardship section could be included in the ordinance, with Mr. Weimiller responding.

Councilmembers Calhoun, Dages, Sterling and Perea spoke to the issue, in support of the recommendations, and presented questions/comments/suggestions relative to how the public would be educated, need to make screening the same height as the house fence, if non-complying screening would have to be torn down and need to grandfather those in, if enforcement would still continue on a complaint-only basis, and if Council budget infrastructure funds could be used to assist in the educational campaign. President Boyajian noted there were hundreds of homes in his district where the carts did not fit anywhere but in the front yards and questioned how they would be affected, and stated he appreciated the concern but felt there other real issues that were of a higher priority such as vacant and blighted homes and buildings and stressed a higher threshold was needed on priorities. Councilmember Sterling added staff needed to be considerate of the hardship that will be placed on some to comply and stated flexibility was needed for certain neighborhoods, especially in her district, and explained. Acting President Castillo stated this would eventually become a code enforcement issue and questioned the possibility of assigning code enforcement officers to specific districts so Council will know who to commend for responding to complaints and problems called in or who to blame. Mr. Weimiller and City Manager Hobbs responded to comments and questions throughout.

On motion of Councilmember Duncan, seconded by Councilmember Calhoun, duly carried, **RESOLVED**, staff directed to: (1) amend and update the Fresno Municipal Code (FMC) to address contemporary solid waste programs, provide more effective and assertive enforcement of cart screening requirements, and allow front yard screening up to 4' in height for the purpose of screening solid waste carts; (2) return with the enabling FMC text amendments for introduction within 60 days; (3) commence an immediate public education program regarding permissible cart storage; and (4) provide an 18 month grace period for residential units that lack space or access adequate to store or walk their carts to screened locations during which time they can erect FMC-conforming front yard screening, by the following vote:

Ayes	:	Calhoun, Castillo, Dages, Duncan, Perea, Sterling
Noes	:	Boyajian
Absent	:	None

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**RECESS - 4:51 P.M. - 5:00 P.M.**

(5:00 P.M.) **RESOLUTION NO. 2003-349** - IMPLEMENTING CHANGES IN WAGES, HOURS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR CITY EMPLOYEES REPRESENTED BY THE FRESNO CITY EMPLOYEES' ASSOCIATION (FCEA)

**1. RESOLUTION NO. 2003-350** - 4<sup>TH</sup> AMENDMENT TO SALARY RES. 2003-213 REFLECTING THE CHANGES IN WAGES AUTHORIZED BY THE ADOPTION OF ABOVE RESOLUTION NO. 2003-349 IMPLEMENTING CHANGES AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES REPRESENTED BY FCEA

Personnel Director Gonzalez reviewed the issue as contained in the staff report as submitted and recommended the resolutions be adopted.

Alex Correa, FCEA representative, spoke in opposition stating this was unfair and employees were being treated inequitably, and requested he be allowed to conclude his remarks after the employees have spoken.

Speaking in opposition to the issue were: Jennifer Proctor, Utilities employee; Annie Rini, Records; Doris McKnight, 7575 N. Spalding; Brett Rawlings, Computer Programmer, ISD **(6 - 0)**; Frank Balekian, Jr., 398 N. Martha; Mike Chico, PUD staff assistant; Connie Hamlin; Sarah Diaz, Solid Waste employee; Rebeca L. Garcia; Deborah Hunt, 3852 E. Kings Canyon #128, Solid Waste employee; Dee Barnes, 3730 Kenmore Dr. N.; Deborah Maggy; Diane Abrahamian, 9282 W. Whitesbridge; Robert Barbery, Police employee, 2323 Mariposa; Barbara Leavitt; and Sam Frank, 2909 E. Huntington #202.

City Manager Hobbs clarified the last, best and final (LBF) that was on the table was a two-year -- not three, and that negotiations would commence again in February or March.

Continued speakers in opposition were: Lidia Montelongo, 2197 Sterling; Karen Brisky, 2600 Fresno Street; Esther Perez Martin; Linda Easley; Andrea Walls **(7 - 0)**; Maria Elena Rodriguez; George Mack; and Alex Correa, who spoke to the negotiation process and various related issues at length.

City Attorney Montoy noted some speakers were under the impression the contemplated action on the LBF was for three years and the city manager stated it was for two years, advised neither of those was correct, clarified the action before Council was not for any certain period of time because FCEA had the right to ask the City to meet and confer on a successor MOU prior to adoption of the next annual budget, and read a portion from the Myers Milias Brown Act/Government Code Section 3505.4 relative to ability of public agencies to implement its LBF offer but not an MOU. Upon question of Mr. Correa, Ms. Montoy advised Council could not take action this date on the union's position but could direct staff to schedule the issue in closed session.

Councilmember Duncan thanked those in attendance, acknowledged emotions were strong but emphasized there were fiscal realities and stated they were going to get worse and explained, and made a motion to approve staff's recommendation. Upon his question Mr. Hobbs confirmed the LBF offered to FCEA compared favorably with ATU's agreement.

Lengthy discussion ensued. Councilmember Sterling spoke to the issue at length including her opposition to threats made by some speakers relative to council members being ousted at the next election if they do not vote in favor of FCEA's position, how FCEA did not support her in her campaign, concern with information given incorrectly to FCEA and not the way Council wanted, concern that she has not been given all the information, realization of some employees' scope of work and need to support them, how she would not support the motion and would work to see employees get the raises they are asking for, and the needs of her district and how she will be asking for FCEA's help for the poor and homeless. Councilmember Perea stated he was sensitive to employees' struggles and concerns, stressed the City and the Council needed to realize the employees were the unsung heroes and stated he appreciated the employees and all they did, advised he would oppose the motion and spoke briefly to raises received by management and the City bonding \$14 million for a golf course, and concluded stating Council's vote affected employees' quality of life.

Assistant City Manager Souza, Ms. Gonzalez and Mr. Hobbs clarified issues and/or responded to questions/comments/concerns of Acting President Castillo relative to the 2% pay increase being offered, the increase in Health & Welfare (H&W) contributions, concern with professionals negotiating and the negotiations taking 18 months, his feeling that it was devious of the City to present the LBF right before Christmas and especially because the 2% was not even on the table until March, if the City provided "fully paid medical insurance" as stated in the City's website, and what needed to be done to reduce H&W costs. Acting President Castillo concluded stating employees were appreciated for all their hard work.

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Councilmember Calhoun stated it was clear employees were appreciated, noted there will always be some people who will never be happy and spoke to the two other units that settled on the same offers and stated to do anything different with FCEA would be unfair, pointed out the County and State were laying off people and city employees still had their jobs with step increases, asked employees to lay aside their bitterness as the City was trying for a win-win for all, **(8 - 0)** and seconded Councilmember Duncan's motion.

Mr. Hobbs stated he has been a municipal employee in several cities for 35 years and knew for a fact one of the most important resources in government are the employees; noted more than 70% of the city's budget goes to pay for salaries and benefits of its workforce; advised the City was facing the worst budget crisis in the history of California and due to aggressive and prudent financial management Fresno was in a better position than most California cities to handle this budget crisis and explained; pointed out there have been no layoffs the past two years but difficult decisions had to be made along the way; and stated this all comes down to money and this was not about good will or bad will and emphasized employee recognitions were sincere.

Mr. Montoy and Mr. Hobbs responded to questions of President Boyajian relative to what the parameters were of a yes or no vote, the LBF, when negotiations would start again, and when implementation of the LBF would be completed. President Boyajian clarified Council had no power over the raises that management received, stressed every member of the City Council knows employees do a great job and stated it was ridiculous to think a yes or no vote meant Council did or did not appreciate employees, noted a yes vote meant changes would be implemented and a no vote meant further negotiations with the possibility of someone being eliminated, stressed 18 months was way too long, everyone was a team, and Council sometimes had to make tough decisions, and reiterated this vote was not about respect for employees.

On motion of Councilmember Duncan, seconded by Councilmember Calhoun, duly carried, RESOLVED, the above entitled Resolution Nos. 2003-349 and 2003-350 hereby adopted, by the following vote:

Ayes : Calhoun, Dages, Duncan, Boyajian  
Noes : Castillo, Perea, Sterling  
Absent : None

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## ADJOURNMENT

There being no further business to bring before the Council, the hour of 7:05 p.m. having arrived and hearing no objections, President Boyajian declared the meeting adjourned.

**APPROVED** on the \_\_\_\_18th\_\_\_\_ day of \_\_\_\_November\_\_\_\_, 2003.

ATTEST:

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Tom Boyajian, Council President

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Yolanda Salazar, Assistant City Clerk



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